

FILED
Superior Court of California
County of Los Angeles

MAR 07 2017

Sherri R. Carter, Executive Officer/Clerk
By Judi Lara, Deputy

AKSI
90012
DEPT. 85
JAMES C.

CHAUFANT

FOR THE COUNTY OF LOS ANGELES

CASE NUMBER: **BS168849**

**PETITION FOR PEREMPTORY
WRIT UNDER THE CALIFORNIA
PUBLIC RECORDS ACT (Gov. Code
§6258 and 6259)**

Date:
Time:
Dept.:

Defendant/Respondent

I. INTRODUCTION

RECEIVED: 03/06/17 10:43 AM
 RECEIPT # CC#02087042
 DATE PAID 03/06/17 10:43 AM
 PAYMENT: \$435.00
 RECEIVED: 310
 CHECK: \$0.00
 CASH: \$0.00
 CHARGE: \$0.00
 CARD: \$435.00

1 **II. STATEMENT OF FACTS**

2 2. The Urban Wildlands Group, Inc. ("UWG") is a tax-exempt, non-profit corporation
3 under California law dedicated to the conservation of species, habitats, and ecological processes in
4 urban and urbanizing areas.

5 3. UWG brings this action on its own institutional behalf and on behalf of its members,
6 including those who live or work in Los Angeles.

7 4. Respondent/Defendant CITY OF LOS ANGELES DEPARTMENT OF ANIMAL
8 SERVICES is a city agency charged with promoting and protecting the health, safety and welfare
9 of animals and people in Los Angeles.

10 5. On June 3, 2016 UWG first attempted to obtain certain category of documents related
11 to the kitten foster program and the release of nonsterilized/unaltered kittens and cats in the City of
12 Los Angeles by emailing the City of Los Angeles Custodian of the Records requesting the
13 documents in regards to the Department of Animal Service's kitten foster program and the release
14 of nonsterilized/unaltered kittens and cats.

15 6. The Custodian of Records acknowledged receipt of UWG's request on June 6, 2016
16 but failed to provide any further concrete information as to when the requested documents would be
17 provided.
18

19 7. On or about July 1, 2106 UWG again emailed the City of Los Angeles Custodian of
20 Records to follow up on the request. The Custodian of Records failed to acknowledge receipt of
21 UWG's request.

22 8. On or about July 31, 2016 UWG further followed up via email to the Custodian of
23 Records. A true and correct copy of the correspondence e-mail chain described in paragraphs 5-7 is
24 attached hereto as Exhibit "A".
25

26 9. UWG repeated its PRA request via email to Ms. Brown on July 31, 2016. Ms. Brown
27 never acknowledged receipt of UWG's repeated request. On November 5, 2016 UWG followed up
28

1 on the unanswered email by requesting a response to the request, and explained that the Department
2 had not produced a single document in response to its PRA request or explained whether or why the
3 Department is withholding documents. Ms. Brown replied on behalf of the Department on
4 November 5, 2016 promising that a response to the PRA request would be forthcoming. UWG has
5 not received any further response to its PRA request. A true and correct copy of the email exchange
6 between Ms. Brown and UWG, including the email attachment of the document provided as a
7 response to the PRA request, is attached hereto as Exhibit 'B'.

8 10. UWG also sought help from the Office of Los Angeles City Attorney. On October 1,
9 2016, via email, Dr. Travis Longcore of UWG sought assistance from Deputy City Attorney, Dov
10 Lesel. Mr. Lesel responded that he would check on the matter and that he would call the
11 Department of Animal Services. After receiving no response from Mr. Lesel, UWG again followed
12 up via email on October 27, 2106. On October 28, 2016 Mr. Lesel sent an email stating that the
13 Department of Animal Services was working on the request but provided no documents or concrete
14 information on when the documents would be provided. A true and correct copy of this e-mail
15 chain correspondence is attached hereto as Exhibit "C".

16 11. Frustrated with the City's lack of response to the PRA request, UWG directed its
17 counsel to follow up with the City. On August 22, 2016, UWG's counsel, Jamie Garretson,
18 contacted the City Clerk of Los Angeles via email and US mail, to follow up on UWG's PRA
19 request. A true and correct copy of Ms. Garretson's August 22, 2016 letter is attached hereto as
20 Exhibit "D".

21 12. The City Clerk of Los Angeles responded with no concrete information about
22 UWG's request, but referred the inquiry to the Department of Animal Services. A true and correct
23 copy of the City Clerk of Los Angeles' letter is attached hereto as Exhibit "E".
24
25
26
27
28

13. As directed by the City Clerk of Los Angeles, Ms. Garretson forwarded the Exhibit C PRA request to the Department of Animal Services on August 30, 2016. A true and correct copy of Ms. Garretson's August 30, 2016 letter is attached hereto as Exhibit "F".

14. On or about December 15, 2016 UWG counsel, Ms. Garretson, again sent the PRA request to the Department of Animal Services. In this letter, Ms. Garretson warned that "[u]nless we hear from you within the next seven days, we will assume Animal Services does not intend to respond, in which case, we would have no choice but to resort to litigation to obtain the requested documents." A true and correct copy of the December 15, 2016 letter is attached as Exhibit G.

15. To date, City of Los Angeles Department of Animal Services has failed to produce the requested documents.

III. THE CALIFORNIA PUBLIC RECORDS ACT AND THE CALIFORNIA CONSTITUTION

16. "Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state." Government Code §6250. "The people have the right of access to information concerning the conduct of the people's business, and, therefore, the...writings of public officials and agencies shall be open to public scrutiny" (California Const. Art. I, § 3(b)(1)), and "a statute...shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access." Art. I, § 3(b)(2).

17. The Public Records Act requires that public agencies such as the City of Los Angeles provide access to any public records requested by a member of the public that are not otherwise exempt from disclosures. Specifically, the Act provides that "Public records are open to inspection at all times during the offices hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided..." (Gov. Code §6253(a)) and "[n]othing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records." Gov Code. §6253(d).

18. Gov Code. §6253(c) provides that even in "unusual circumstances," public agencies are required to respond to Public Records Act requests within 24 hours.

IV REASONS FOR GRANTING WRIT

19. This Petition is brought under the California Public Records Act, Government Code §§ 6258 and 6259, which are the enforcement mechanisms of the PRA. Petitioner has no plain, speedy, adequate remedy in the ordinary course of law to secure the records sought, other than this petition.

20. The records sought here are not exempt from disclosure.

21. The records sought here are needed to shed light on the City of Los Angeles' foster kitten program and the practice of releasing nonsterilized/unaltered kittens and cats into the environment. These records are needed to assist UWG in its efforts to educate the public about the City of Los Angeles' foster kitten program, as well as to adequately participate in the Animal Service's Departments' expected upcoming environmental review of the Department's feral cat program.

WHEREFORE PETITIONER prays:

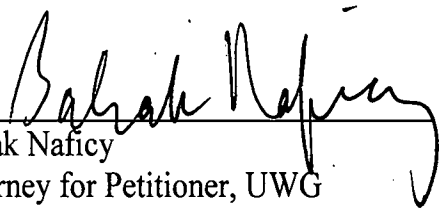
- (1) That the Court Issue an Order directing the City of Los Angeles, Department of Animal Services to release the records sought in Exhibit A attached hereto;
- (2) Alternatively, that the Court order the Department of Animal Services to show cause why the records should not be released, and thereafter order the records released;
- (3) For an award of costs and attorney's fees and costs pursuant to Gov. Code §6259(d); and
- (4) For such other and further relief as the Court may deem just and proper.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully Submitted:

Dated: March 3, 2017

LAW OFFICES OF BABAK NAFICY

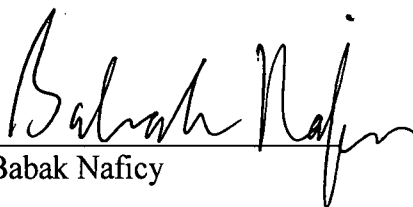
By: 
Babak Naficy
Attorney for Petitioner, UWG

03/03/2017

VERIFICATION

I, Babak Naficy, am counsel to petitioner/plaintiff and have personal knowledge of the following facts. The offices and governing boards of petitioner/plaintiff, The Urban Wildlands Group, Inc., are located outside San Luis Obispo County, the county in which I maintain my office. I have read the foregoing Petition for Writ of Mandate. The facts alleged in the above petition are true to the best of my knowledge and belief, and, on that ground, petitioner/plaintiff alleges that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Verification was executed in San Luis Obispo, California, on March 3, 2017.


Babak Naficy

03/08/2017

EXHIBIT "A"

03/08/2017

Subject: Re: records regarding cats released without being altered

From: Travis Longcore <longcore@urbanwildlands.org>

Date: 7/31/2016 12:08 PM

To: Ani Recordrequest <ani.recordrequest@lacity.org>

CC: Babak Naficy <babaknaficy@sbcglobal.net>, Dov Lesel <Dov.Lesel@lacity.org>, Dana Brown <dana.brown@lacity.org>

Dear Custodian of the Records:

We have still not received the legally required response to this request. Please provide a written response by close of business on Wednesday, August 3, 2016.

Travis Longcore

Travis Longcore, Ph.D.

Science Director

The Urban Wildlands Group

longcore@urbanwildlands.org

On Jul 1, 2016, at 9:25 AM, Travis Longcore <longcore@urbanwildlands.org> wrote:

Dear Custodian of the Records:

Please provide the legally required determination whether disclosable records are available in response to this request and let me know when and where any disclosable records will be made available. The allowable period and extension to provide this response has now past. Please provide an immediate written response that fulfills the requirements of California Government Code Section 6253(c).

Sincerely,

Travis Longcore

Travis Longcore, Ph.D.

Science Director

The Urban Wildlands Group

longcore@urbanwildlands.org

On Jun 6, 2016, at 8:43 AM, Ani Recordrequest <ani.recordrequest@lacity.org> wrote:

We are in receipt of your request. We will provide records as soon as possible.

Thank You

On Fri, Jun 3, 2016 at 4:47 PM, Travis Longcore <longcore@urbanwildlands.org> wrote:

To the Custodian of the Records:

1. The Department has a foster program in which kittens are given to volunteers acting on behalf of the Department to raise up to an age where they can be adopted. For the period January 5, 2010 to present, we seek the following information:

- a) the addresses of the locations where kittens released under the foster program have been placed;
- b) the number of kittens released to each of these addresses by approximate age of animal;
- c) the number of kittens received back from each location by approximate age of animal; and
- d) all similar information for cats, if adult cats are provided as foster animals (as is implied by the foster application).

These animals are logged into and out of Chameleon (per the foster application; http://www.laanimalservices.com/pdf/volunteer/foster_application.pdf) so an electronic copy of all foster records would be acceptable to go along with the addresses of each foster location.

2. We also seek records from the Department of all nonsterilized/unaltered kittens and cats that have been released by the City since January 5, 2010.

I assume that these records will come in the form of a spreadsheet that can be exported from your shelter information tracking system (Chameleon).

I submit this request for documents and information pursuant to the Public Records Act ("PRA") on behalf of The Urban Wildlands Group ("UWG"), a California Public Benefit Corporation (501(c)(3)).

UWG is an area leader for habitat preservation, active conservation and restoration of habitats, and advocacy for protection of remaining imperiled species and habitats in urban and urbanizing areas. As a registered charity, UWG receives public funds, including federal and state grants for land restoration and studies of biological resources and ecosystem function. Thus, UWG qualifies for and hereby

03/08/2017

requests a fee and cost waiver pursuant to the Public Records Act. UWG agrees to and intends to share any information that is obtained through this request with its supporters, conservation colleagues and others, upon request and at no cost.

We would be grateful if digital copies of responsive documents can be provided to us on a disk or via email attachment. Otherwise, we ask that you waive any fees and provide hard copies. Please contact me if you are unable to provide digital copies, or if the estimated cost of providing hard copies would be more than \$150.

Thank you in advance for your expected cooperation and assistance in responding to this request within 10 days. If you have any questions please do not hesitate to contact me at 310-247-9719.

Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

03/08/2017

03/08/2017

EXHIBIT "B"

Subject: Re: CPRA Longcore

From: Travis Longcore <longcore@urbanwildlands.org>

Date: 11/11/2016 2:29 PM

To: Babak Naficy <babaknaficy@sbcglobal.net>

Nada, you'll have seen that the letter we sent at the beginning of the week went ahead and criticized them on some of the issues that we had asked them to clarify. I'm finishing up a meeting; maybe I can call later this afternoon to update on our various items. —Travis

On Nov 11, 2016, at 2:18 PM, Babak Naficy <babaknaficy@sbcglobal.net> wrote:

Travis, this is the end of the week, did you get anything from her??

On 11/5/2016 12:27 PM, Travis Longcore wrote:

The reiterated request was prompted by our receipt this week of a relevant Departmental document that should have been provided in response to the original request. Thank you for working on a weekend.

Travis

--

Travis Longcore, Ph.D.

Science Director

The Urban Wildlands Group

longcore@urbanwildlands.org

On Nov 5, 2016, at 12:13 PM, Dana Brown <dana.brown@lacity.org> wrote:

Hello Mr. Longcore - Ironical that I should receive an email from you this afternoon as I am in the office on Saturday actually working on the request. It is quite a bit of information some of which has to be individually researched and manually added to your report. I hope to have it completed by the end of the week but I will be in contact with you as I progress in the gathering of the information.

Thanks and enjoy your weekend.

Dana Brown

03:08:2017

On Sat, Nov 5, 2016 at 12:05 PM, Travis Longcore
<longcore@urbanwildlands.org> wrote:

Dear Ms. Brown,

I have not received a response to this request. Please provide a timeline for the Department to respond to these questions, a statement that no documents exist that address these questions, or a reason that the Department is withholding documents that are responsive to these questions.

Sincerely,
Travis Longcore

--

Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

On Jul 31, 2016, at 12:51 PM, Travis Longcore
<longcore@urbanwildlands.org> wrote:

Dear Ms. Brown,

Can you please confirm receipt of the request for clarification in my email of July 13, 2016, and treat it as a continuation of our CPRA request, since the document that you sent does not provide adequate information to support the assertions that were made by Ms. Barnette without being supplemented by other critical information that the Department has in its possession. To summarize these questions:

1. What is the estimated holding period for cats in these calculations?
2. Are the estimated holding periods for feral and stray cats (as defined under State law) different? If so, what are they?
3. Does the Department of Animal Services do any behavioral assessment to determine which cats are stray and which cats are feral, as defined under State law?
4. On what basis does the Department assume that the number of feral cats euthanized each year is equal to the number of cats euthanized minus the number of dogs euthanized each year?

Please provide me with any and all documents that contain information

03/08/2017

that answers these questions. Again, the answers should be easy to find and provide since they would have to be readily available to make the estimate in the spreadsheet that you provided.

I look forward to your prompt attention to this request.

Sincerely,
Travis Longcore

--

Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

On Jul 13, 2016, at 10:33 AM, Travis Longcore
<longcore@urbanwildlands.org> wrote:

Dear Ms. Brown,

Thank you for sending this. I believe there is an inconsistency in the document — it states that the holding period for the cats is 20 days, but then the figures indicate 9 days (7 at one rate and then 2 at another rate). Can you please confirm the estimated holding period for feral cats in these calculations?

Also, please let me know the basis for the assumption that the number of feral cats euthanized each year is equal to the number of cats euthanized minus the number of dogs euthanized each year. Does this estimate include stray cats as well as feral cats, or just feral cats (as defined by state law)? It appears that the estimate is not based on any behavioral determination of which cats were lost, stray, or feral, can you please confirm this?

Sincerely,
Travis Longcore

<Projection of Expenses to Provide Care & Services for Feral Cats
as Required by State Law.pdf>

--

Travis Longcore, Ph.D.

03/08/2017

Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

On Jul 12, 2016, at 4:47 PM, Dana Brown
<dana.brown@lacity.org> wrote:

Good Afternoon Mr. Longcore - Attached is the document provided in response to your CPRA request. Thank you for your patience.

Dana Brown
LA Animal Services

--
Dana H. Brown, Assistant General Manager
Los Angeles Department of Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
213-482-9558 (office)
213-760-1025 (cell)
<http://www.laanimalservices.com/>

"Change will not come if we wait for some other person or some other time. We are the ones we've been waiting for. We are the change that we seek."

<Projection of Expenses to Provide Care & Services for Feral Cats as Required by State Law.pdf>

--
Dana H. Brown, Assistant General Manager
Los Angeles Department of Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
213-482-9558 (office)
213-760-1025 (cell)
<http://www.laanimalservices.com/>

"Change will not come if we wait for some other person or some other time. We are the ones we've

03/08/2017

been waiting for. We are the change that we seek."

--
Babak Naficy
Law Offices of Babak Naficy
1504 Marsh Street
San Luis Obispo, Ca 93401
babaknaficy@sbcglobal.net
www.naficylaw.com
805-593-0926 phone
805-593-0946 fax

This e-mail, and any attachments hereto, are intended only for use by the addressee

03/08/2017

EXHIBIT "C"

03/08/2017



Jamie Garretson <naficy.jamie@gmail.com>

Re: records regarding cats released without being altered

7 messages

Travis Longcore <longcore@urbanwildlands.org>

Sat, Oct 1, 2016 at 5:02 PM

To: Ani Recordrequest <ani.recordrequest@lacity.org>

Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

To Whom It May Concern:

It has been 4 months and your office has not provided a response to this request. Please provide a response by the close of business, Friday, October 7, 2016.

Sincerely,
Travis Longcore

Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

On Jun 6, 2016, at 8:43 AM, Ani Recordrequest <ani.recordrequest@lacity.org> wrote:

We are in receipt of your request. We will provide records as soon as possible.

Thank You

On Fri, Jun 3, 2016 at 4:47 PM, Travis Longcore <longcore@urbanwildlands.org> wrote:

To the Custodian of the Records:

1. The Department has a foster program in which kittens are given to volunteers acting on behalf of the Department to raise up to an age where they can be adopted. For the period January 5, 2010 to present, we seek the following information:

- a) the addresses of the locations where kittens released under the foster program have been placed;
- b) the number of kittens released to each of these addresses by approximate age of animal;
- c) the number of kittens received back from each location by approximate age of animal; and
- d) all similar information for cats, if adult cats are provided as foster animals (as is implied by the foster application).

These animals are logged into and out of Chameleon (per the foster application; http://www.laanimalservices.com/pdf/volunteer/foster_application.pdf) so an electronic copy of all foster records would be acceptable to go along with the addresses of each foster location.

2. We also seek records from the Department of all nonsterilized/unaltered kittens and cats that have been released by the City since January 5, 2010.

I assume that these records will come in the form of a spreadsheet that can be exported from your shelter information tracking system (Chameleon).

I submit this request for documents and information pursuant to the Public Records Act ("PRA") on behalf of

03/08/2017

The Urban Wildlands Group ("UWG"), a California Public Benefit Corporation (501(c)(3)).

UWG is an area leader for habitat preservation, active conservation and restoration of habitats, and advocacy for protection of remaining imperiled species and habitats in urban and urbanizing areas. As a registered charity, UWG receives public funds, including federal and state grants for land restoration and studies of biological resources and ecosystem function. Thus, UWG qualifies for and hereby requests a fee and cost waiver pursuant to the Public Records Act. UWG agrees to and intends to share any information that is obtained through this request with its supporters, conservation colleagues and others, upon request and at no cost.

We would be grateful if digital copies of responsive documents can be provided to us on a disk or via email attachment. Otherwise, we ask that you waive any fees and provide hard copies. Please contact me if you are unable to provide digital copies, or if the estimated cost of providing hard copies would be more than \$150.

Thank you in advance for your expected cooperation and assistance in responding to this request within 10 days. If you have any questions please do not hesitate to contact me at 310-247-9719.

--
Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

Travis Longcore <longcore@urbanwildlands.org>

Fri, Oct 14, 2016 at 8:30 AM

To: Dov Lesel <Dov.Lesel@lacity.org>

Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

Hi Dov,

Perhaps no one is monitoring the Animal Services records request email, as the emails below were not acknowledged. Please let me know right away if the Department will be responding.

Best regards,
Travis

03/08/2017

--
Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

Begin forwarded message:

From: Travis Longcore <longcore@urbanwildlands.org>
Subject: Re: records regarding cats released without being altered
Date: October 1, 2016 at 5:02:55 PM PDT
To: Ani Recordrequest <ani.recordrequest@lacity.org>
Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>
[Quoted text hidden]

Dov Lesel <dov.lesel@lacity.org> Fri, Oct 14, 2016 at 8:57 AM
To: Travis Longcore <longcore@urbanwildlands.org>
Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

Travis,

I responded to staff questions a while ago, and I assumed that a response had been sent out. They have a new Commission secretary. I will check.

Dov
[Quoted text hidden]

--
Dov Lesel
Assistant City Attorney
General Counsel Division
Los Angeles City Attorney's Office
200 North Main Street, 7th Floor, MS 140
Los Angeles, California 90012
(213) 978-8154 - Telephone
(213) 978-8222 - Facsimile
dov.lesel@lacity.org

*****Confidentiality Notice *****

This electronic message transmission contains information from the Office of the Los Angeles City Attorney, which may be confidential or protected by the attorney-client privilege and/or the work product doctrine. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message and any attachments without reading or saving in any manner.

Travis Longcore <longcore@urbanwildlands.org> Fri, Oct 14, 2016 at 10:00 AM
To: Dov Lesel <dov.lesel@lacity.org>
Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

Thanks, nothing received on this.

Travis

[Quoted text hidden]

Dov Lesel <dov.lesel@lacity.org>

Fri, Oct 14, 2016 at 10:57 AM

To: Travis Longcore <longcore@urbanwildlands.org>

Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

I put in a call to LAAS to see what happened to their response.

[Quoted text hidden]

Travis Longcore <longcore@urbanwildlands.org>

Thu, Oct 27, 2016 at 11:11 PM

To: Dov Lesel <Dov.Lesel@lacity.org>

Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>

Hi Dov,

Still nothing on this request. Do I need to ask our attorneys to send a formal letter letting the City know when we will file suit?

Best regards,
Travis

Travis Longcore, Ph.D.
Science Director
The Urban Wildlands Group
longcore@urbanwildlands.org

[Quoted text hidden]

Dov Lesel <dov.lesel@lacity.org>

Fri, Oct 28, 2016 at 7:04 AM

To: Travis Longcore <longcore@urbanwildlands.org>

Cc: Babak Naficy <babaknaficy@sbcglobal.net>, Jamie Garretson <naficy.jamie@gmail.com>, Dana Brown <dana.brown@lacity.org>

Hi, Travis.

I spoke to the Dept about the request and they are working on it. For some reason, they are having problems pulling up the info. I should have had them communicate with you.

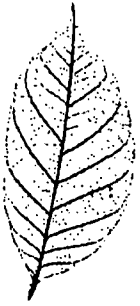
I was promised that they would have the glitches solved by next week. I am copying Dana Brown, the Dept AGM who is working on this.

Dov

[Quoted text hidden]

EXHIBIT "D"

03/08/2017



August 22, 2016

Via US Mail and Email

City Clerk
200 N. Spring Street, Room 360
Los Angeles, CA 90012
Ani.recordrequest@lacity.org

RE: Public Records Act Request

To Whom It May Concern,

I am writing this letter on behalf of my client, The Urban Wildlands Group ("UWG"), a charity dedicated to habitat preservation, active conservation, and restoration of habitats. The UWG has made multiple requests under the Public Records Act ("PRA") for specific documents that have gone unanswered. Under the PRA you are legally required to respond within ten calendar days to a document request. If you do not respond to this letter within ten calendar days, we will bring suit to obtain the requested documents.

Document Requests

1. On June 3, 2016 UWG emailed the Custodian of the Records requesting the documents in regards to the Department of Animal Service's kitten foster program and the release of nonsterilized/unaltered kittens and cats.
2. On July 1, 2016 my client again emailed the Custodian of the Records to follow up on its unanswered request.
3. On July 31, 2016 my client further followed up via email to the Custodian of Records.

Documents

- The addresses of the locations where kittens released under the foster program have been placed;
- The number of kittens released to each of these addresses by approximate age of animal;
- The number of kittens received back from each location by approximate age of animal; and
- All similar information for cats, if adult cats are provided as foster animals (as it implied by the foster application)
- Records from the Department of Animal Services of all nonsterilized/unaltered kittens and cats that have been released by the City since January 5, 2010.

1504 Marsh Street
San Luis Obispo
California 93401

ph: 805.593.0926

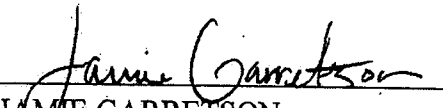
fax: 805.593.0946

babaknaficy@sbcglobal.net

08/08/2017

Please let me know when your office intends to produce the requested documents. I thank you in advance for your attention to this matter.

Sincerely,


JAMIE GARRETSON
LAW OFFICE OF BABAK NAFICY
Attorney for Urban Wildlands Group

1504 Marsh Street
San Luis Obispo
California 93401

ph: 805.593.0926

fax: 805.593.0946

babaknaficy@sbcglobal.net

Cc: Dov Lesel: Dov.Lesel@lacity.org
Dana Brown: dana.brown@lacity.org

03/08/2017

EXHIBIT "E"

03/08/2017

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles

CALIFORNIA

OFFICE OF THE
CITY CLERK

SHANNON D. HOPPE
EXECUTIVE OFFICER

Council and Public Services Division
200 N. Spring Street, Room 395
Los Angeles, CA 90012
General Information - (213) 978-1133
FAX: (213) 978-1040

When making inquiries relative
to this matter, please refer to
the Council File No.



BRIAN WALTERS
DIVISION MANAGER

clerk.lacity.org

ERIC GARCETTI
MAYOR

August 24, 2016

Jamie Garretson
Law Office of Babak Naficy
1504 Marsh Street
San Luis Obispo, CA 93401

RE: PRA request relative to Department of Animal Services records

After a diligent search of the records maintained by the City Clerk's Office, we were unable to locate any records specific to your request. The City Clerk does not maintain the type of documents stated in your request. Those records are more likely maintained by the Department of Animal Services at 221 N. Figueroa Street, 6th Floor, Suite 600, Los Angeles, CA 90012 or by calling 888-452-7381 or visiting their website at <http://www.laanimalservices.com/>

Please feel free to access our record keeping system free of charge directly through our Council File Management System at <https://cityclerk.lacity.org/lacityclerkconnect/>

If I can be of any other assistance, please do not hesitate to contact me directly.

Sincerely,

Brian Walters
Division Manager

03/08/2017

EXHIBIT "F"

03/08/2017

August 30, 2016

Via US Mail


Department of Animal Services
221 N. Figueroa Street
Sixth Floor, Suite 600
Los Angeles, CA 90012

RE: Public Records Act Request

To Whom It May Concern,

Enclosed is a Public Records Act request letter sent to the Los Angeles City Clerk's Office on August 22, 2016 on behalf of my client The Urban Wildlands Group. Further enclosed is a letter dated August 24, 2016 from the City Clerk's Office directing my request to your office. Under the PRA you are legally required to respond within 10 calendar days to a document request. Please let me know when your office intends to produce the requested documents. I thank you in advance for your attention to this matter.

Sincerely,


JAMIE GARRETSON
LAW OFFICES OF BABAK NAFICY
Attorney for Urban Wildlands Group

Enclosures

1504 Marsh Street
San Luis Obispo
California 93401

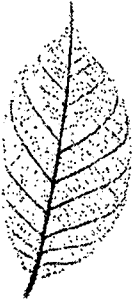
ph: 805.593.0926
fax: 805.593.0946

babaknaficy@sbcglobal.net

09/08/2017

EXHIBIT "G"

03/08/2017



December 15, 2016

Via US Mail

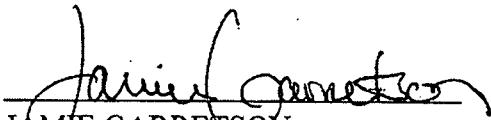
Department of Animal Services
221 N. Figueroa Street
Sixth Floor, Suite 600
Los Angeles, CA 90012

RE: Public Records Act Request

To Whom It May Concern,

On August 30, 2016, I sent you the enclosed Public Records Act request which had originally been sent to the Los Angeles City Clerk's Office on August 22, 2016 on behalf of The Urban Wildlands Group. To date, we have not received a response to the PRA request. Unless we hear from you within the next seven days, we will assume Animal Services does not intend to respond, in which case, we would have no choice but to resort to litigation to obtain the requested documents.

Sincerely,


JAMIE GARRETSON
LAW OFFICES OF BABAK NAFICY
Attorney for Urban Wildlands Group

Enclosures

1504 Marsh Street
San Luis Obispo
California 93401 ph:
805-593-0926 fax:
805-593-0946

babaknaficy@sbcglobal.net

03/08/2017

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, number, and address): Babak Naficy 1504 Marsh Street San Luis Obispo, California 93401 TELEPHONE NO.: (805) 593-0926 FAX NO.: (805) 593-0946 ATTORNEY FOR (Name): Protect Our Neighborhoods		FOR COURT USE ONLY <div style="font-size: 24pt; font-weight: bold; margin: 10px 0;">FILED</div> <div style="font-weight: bold; margin: 5px 0;">Superior Court of California</div> <div style="font-weight: bold; margin: 5px 0;">County of Los Angeles</div> <div style="font-size: 18pt; font-weight: bold; margin: 10px 0;">MAR 07 2017</div> <div style="margin-top: 10px;"> Sherri R. Carter, Executive Officer/Clerk By <u>Judi Lara</u>, Deputy </div>	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse, Central District		<div style="font-size: 24pt; font-weight: bold; transform: rotate(-15deg);">RECEIVED</div> <div style="font-size: 24pt; font-weight: bold; transform: rotate(-15deg);">MAR 07 2017</div> <div style="font-size: 24pt; font-weight: bold; transform: rotate(-15deg);">FILING WINDOW</div>	
CASE NAME: The Urban Wildlands Group, Inc. v. The City of Los Angeles Department of Animal Services			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: BS168349 JUDGE: DEPT:	

Items 1–6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
--	---	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify):
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 3, 2017

BABAK NAFICY

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

SHORT TITLE: The Urban Wildlands Group v. City of LA Dept. of Animal Services	CASE NUMBER: BS168349
--	------------------------------

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|---|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District.
2. Permissive filing in central district.
3. Location where cause of action arose.
4. Mandatory personal injury filing in North District.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle. | 7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office.
11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
|--|---|

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1, 4, 11
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

SHORT TITLE: The Urban Wildlands Group v. City of LA Dept. of Animal Services	CASE NUMBER:
---	--------------

 Non-Personal Injury/ Property
Damage/ Wrongful Death Tort

Employment

Contract

 Real Property
Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2, 6
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

SHORT TITLE: The Urban Wildlands Group v. City of LA Dept. of Animal Services	CASE NUMBER
--	-------------

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 5, 11 2, 6 2, 9 2, 8 2, 8 2, 8, 9
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1, 2, 8 2, 8 1, 2, 8 1, 2, 8
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2, 3, 9 2, 3, 9 2, 3, 9 2 2, 7 2, 3, 8 2, 9

SHORT TITLE: The Urban Wildlands Group v. City of LA Dept. of Animal Services	CASE NUMBER
--	-------------

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.		ADDRESS: 221 N. Figueroa St. #600 Los Angeles, CA 90012
CITY: Los Angeles	STATE: CA	ZIP CODE: 90012

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., §392 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: March 3, 2017


 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

03/03/2017